

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No.: 134687NV (MHM 15085US01)

In the Application of:)

Thomas Herbert Peterson)

Serial No.: 10/660,825)

Filed: September 12, 2003)

For: SYSTEM AND METHOD FOR
DETERMINING THE POSITION OF A
FLEXIBLE INSTRUMENT USED IN A
TRACKING SYSTEM)

Examiner: CASLER, BRIAN L)

Group Art Unit: 3737)

Confirmation No.: 7037)

Customer No.: 23446)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence
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/Philip Henry Sheridan/

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Reg. No. 59,918

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper responds to the Notice of Allowance mailed August 25, 2011, in the above-identified application (the "Application"). Applicant respectfully requests entry of the following remarks in the record.

REMARKS

Claims 1-23 were allowed in the Notice of Allowance mailed on August 25, 2011. The Applicant thanks the Examiner for positive consideration of the claims.

However, during the course of prosecution of the Application the Examiner may have provided various reasons for allowing claims 1-23. The Applicant does not agree or disagree at this time with those reasons, but respectfully reserves the right to support or traverse those reasons should the need arise, and argue different reasons for the allowability of the claims.

The Applicant recognizes that in accordance with M.P.E.P. § 1302.14, the reasons for allowance provided by the Examiner do not necessarily include all of the reasons why the claims are allowed. The Applicant does not concede that the stated reasons for allowance are the only grounds for patentability of the allowed claims or that any element excluded from the Examiner's Reasons for Allowance is taught or suggested by the art of record.

Further, the Applicant does not concede that all of the elements identified by the Examiner are required to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. In addition, the Examiner does not assert, and the Applicant would not agree, that the stated reasons for allowance have any bearing on the patentability of claims in any other applications.

Each dependent claim stands on its own and is allowable based on its own elements or in combination with one or more elements recited in its base claim(s). The combination of elements need not include all of the elements identified in the stated reasons for allowance.

Appln. No. 10/660,825

Filed: September 12, 2003

Comments on Statement of Reasons for Allowance mailed August 25, 2011

Response filed October 5, 2011

Respectfully submitted,

Dated: October 5, 2011

By: /Philip Henry Sheridan/

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